

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Nov 12, 2021**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

MARK JOSEPH WELD,

Plaintiff,

v.

TRICIA RABEL, JASON BERTHON-  
KOCH, ANDREW BAYNE, and  
PETER ROSS,

Defendants.

No. 1:21-cv-03112-SMJ

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

Before the Court is Magistrate Judge Rodgers' October 15, 2021 Report and Recommendation, ECF No. 5. Judge Rodgers recommends that the Court dismiss Plaintiff Mark Joseph Weld's Complaint without prejudice because Plaintiff did not comply with the Court's order, ECF No. 4, that Plaintiff proffer the full filing fee or submit a properly completed Application to Proceed In Forma Pauperis. ECF No. 5 at 1. Plaintiff did not file any objections to the Report and Recommendation.

After reviewing the Report and Recommendation, and relevant authorities, the Court finds the Magistrate Judge's findings are correct. Therefore, the Court adopts the Report and Recommendation in its entirety.

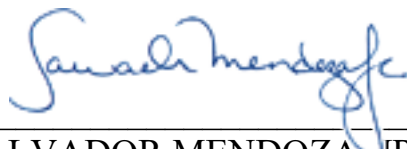
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Accordingly, **IT IS HEREBY ORDERED:**

1. The Report and Recommendation, **ECF No. 5**, is **ADOPTED** in its entirety.
2. Plaintiff's Complaint, **ECF No. 1**, is **DISMISSED WITHOUT PREJUDICE**.
3. Plaintiff shall provide notice of the dismissal to any and all Defendant(s) he served with a copy of the Complaint and Summons.
4. The Clerk's Office is directed to enter **JUDGMENT** and **CLOSE** the file.

**IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and provide copies to Pro Se Plaintiff, all counsel and Magistrate Judge Rodgers.

**DATED** this 12<sup>th</sup> day of November 2021.



SALVADOR MENDOZA, JR.  
United States District Judge